

E-filed 4/6/06

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Harman - Chiu, Inc. and Harman Management Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
Plaintiff,)
SANDRA VARGAS, ESTHER HERNANDEZ,)
AND MARIVEL HERNANDEZ)
Plaintiffs/Intervenors)
v.)
HARMAN – CHIU, INC., d/b/a/)
KFC / TACO BELL, HARMAN)
MANAGEMENT CORPORATION, INC.,)
JORGE GARCIA, AND DOES 1-10 inclusive,)
Defendants.)

CASE NO. C 05 3615

**STIPULATED MOTION AND
[PROPOSED] ORDER TO EXTEND
DEADLINE FOR COMPLETING
MEDIATION**

Harman – Chiu, Inc. and Harman Management Corporation (“the Defendants”), the
Equal Employment Opportunity Commission (“the Plaintiff”), and Sandra Vargas, Esther
Hernandez, and Marivel Hernandez (“the Plaintiffs/Intervenors”), by and through their counsel,
hereby stipulate and recite the following:

1. The deadline for completing the mediation is currently April 4, 2006.
2. The Defendants believe that additional discovery is necessary before the parties
proceed to mediation. Specifically, the Defendants wish to depose the Plaintiffs/Intervenors.

1 Scheduling conflicts have prevented the Defendants from completing the necessary discovery
2 prior to April 4, 2006.

3 3. The parties have agreed that, with the Court's approval, the date for the mediation
4 should be extended sixty (60) days to allow for additional discovery and completion of the
5 mediation.

6 4. This request is not sought for purposes of delay.

7 5. No previous time modifications by stipulation, or by the Court, have been made in
8 this case.

9 6. The extension of time for mediation should have no effect on the schedule for the
10 case.

11 7. The parties have scheduled May 3, 2006 as the new date for the mediation, and
12 the mediator has indicated she is available that date.

13 IT IS THEREFORE STIPULATED that the deadline for completing mediation, should
14 be extended sixty (60) days to allow for additional discovery and completion of the mediation,
15 subject to the Court's approval.

16 DATED this ____ day of _____, 2006.

17
18 McKAY, BURTON & THURMAN

19
20 /ss/_____/
21 Bruce J. Boehm
22 Attorneys for the Defendants

23 DATED this ____ day of _____, 2006.

24
25 EQUAL EMPLOYMENT OPPORTUNITY
26 COMMISSION

27 /ss/_____/
28 Attorneys for the Plaintiff

DATED this ____ day of _____, 2006.

TALAMANTES VILLEGAS CARRERA, LLP

/s/_____
Attorneys for the Plaintiffs/Intervenors

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

DATED this 4th day of April, 2006.



The Honorable Judge Jeremy Fogel
United States District Court for the Northern
District of California

1 PROOF OF SERVICE

2 STATE OF UTAH)
3 COUNTY OF SALT LAKE) ss

4 I am a resident of the State of Utah, over the age of eighteen years, and not a party to the
5 within action. My business address is McKay Burton & Thurman, 170 S. Main, Suite 800, Salt
Lake City, Utah 84101. On April, 3rd, 2006 I served the within documents:

6 **STIPULATED MOTION AND [PROPOSED] ORDER TO EXTEND DATE OF**
7 **MEDIATION**

8
9
10 ☐ I sent such document from facsimile machine (801) 521-4252. I certify that said
11 transmission was completed and that all pages were received and that a report was
12 generated by facsimile machine (801) 521-4252 which confirms said transmission and
receipt. I, thereafter, mailed a copy to the interested party(ies) in this action by
placing a true copy thereof enclosed in sealed envelope(s) addressed to the parties
listed below.

13 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
14 fully prepaid, in the United States mail at Salt Lake City, Utah addressed as set forth
below.

15 ☐ by personally delivering the document(s) listed above to the person(s) at the
16 address(es) set forth below.

17 ☐ by placing the document(s) listed above, together with an unsigned copy of this
18 declaration, in a sealed Federal Express envelope with postage paid on account and
deposited with Federal Express at Salt Lake City, Utah addressed as set forth below.

19 ☐ by transmitting the document(s) listed above, electronically, via the e-mail addresses
20 set forth below.

21 William R. Tamayo
Jonathan T. Peck
22 Evangelina Fierro Hernandez
Equal Employment Opportunity Commission
23 San Francisco District Office
24 350 The Embarcadero, Suite 500
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25 Virginia Villegas
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